## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:09CR96-MR

UNITED STATES OF AMERICA,	)
	)
<b>v.</b>	ORDER ORDER
	)
JUAN MANUEL COTERO-RAMIREZ,	)
	)
Defendant.	)

THIS MATTER is before the Court on receipt of a Forensic Evaluation from the Federal Correctional Complex in Butner, North Carolina dated September 11, 2009. The Report concluded that the Defendant <u>is</u> currently suffering from a mental disease or defect rendering him mentally incompetent to proceed and recommended that Defendant be committed for a period of mental health treatment and competency restoration pursuant to 18 U.S.C. § 4241(d).

Counsel for the Defendant and for the Government both concurred regarding the need for continued treatment and evaluation at a hearing conducted by the Court on November 6, 2009.

## NOW THEREFORE, IT IS ORDERED:

- 1. The Defendant is committed to the custody of the Attorney General, pursuant to 18 U.S.C. § 4241(d), for treatment in a suitable facility and for further evaluation to determine whether the Defendant can attain, or has attained, competency to proceed.
- 2. The custodial treatment and evaluation described above shall be "for such a reasonable period of time, not to exceed four months," as provided in 18 U.S.C. § 4241(d)(1); and "for an additional reasonable period of time until his mental condition is so improved that trial may proceed, if the court finds that there is a substantial probability that within such additional period of time he will attain the capacity to permit the proceedings to go forward" as provided by § 4241(d)(2)(A).

3. The Clerk is directed to send copies of this Order to defense counsel, counsel for the Government, the U.S. Marshal; and to the Honorable Martin Reidinger.

## SO ORDERED.

Signed: November 6, 2009

David S. Cayer

United States Magistrate Judge